IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 7769 of 2007(Y)

PETITIONER:

A.R.SYAMALA, AGED 55 YEARS,
W/O.P.RAJENDRAN, RESIDING AT HOUSE NO.35/1524A,
SOUTH JANATHA ROAD, PALARIVATTAM, COCHIN-25.

BY ADV. SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU
SMT.P.A.ANEESHA
SRI.E.M.ABDUL KHADER

RESPONDENTS:

THE DIRECTOR OF SURVEY AND LAND RECORDS,
VAZHUTHAKKAD, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No.7769 OF 2007 Y
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Dated this the 14th March, 2007

J U D G M E N T

When this case came up for consideration on the last posting date, it was adjourned to enable the Govt. Pleader to seek instructions relating to the number of vacancies in the post of Technical Assistants and also about the prospects of the petitioner getting promotion to one of those vacancies. Govt. Pleader, on instruction, submits that the D.P.C. held its meeting on 22-1-2007 and has prepared a select list consisting of 3 persons in the feeder category. It is also submitted that all those included in that select list have already been appointed as Technical Assistants against the vacancies then existed. Now there are 5 vacancies in the post of Technical Assistants. The respondents are taking steps to hold an ad hoc meeting of the D.P.C. to prepare the select list of persons for appointment against those vacancies. However, the date on which the ad hoc D.P.C. will hold its meeting is presently not known.

2. Counsel for the petitioner submits that the

petitioner will retire from service on superannuation by the end of April, 2007. It is also submitted that the petitioner will be the second person to be promoted in case the respondent decides to fill up the now existing vacancies.

3. It is pertinent to note that the Government have issued a circular directing the appointing authorities to make temporary promotions in cases where delay occurs in convening the D.P.C. so as to alleviate the hardship and desperation likely to cause to eligible members who may retire from service within six months.

4. In the above circumstances, I feel that interest of justice requires that the petitioner's case shall be considered by the respondent for temporary promotion to the post of Technical Assistant against one of the existing vacancies. The order temporarily promoting the petitioner will be passed, provided she is sufficiently senior and qualified for the post of Technical Assistant. The respondent shall take immediate action to convene the ad hoc meeting of the D.P.C. for selection of Head Draftsman to the post of

Technical Assistant in accordance with the rules. The order temporarily promoting the qualified senior hands in the feeder category, to the post of Technical Assistant, shall be passed within three weeks from today. The ad hoc D.P.C. shall be held within two months from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the respondent for information and compliance.

K.K. DENESAN
JUDGE

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